

§§1-10 -
C.5:12A-10 to
5:12A-19
§15 - Repealer
§16 - Note

P.L. 2018, CHAPTER 33, *approved June 11, 2018*
Assembly, No. 4111 (*Second Reprint*)

1 **AN ACT** allowing wagering at casinos and racetracks on the results
2 of certain professional or collegiate sports or athletic events,
3 supplementing Title 5 of the Revised Statutes, amending and
4 repealing various parts of the statutory law.

5
6 **BE IT ENACTED** *by the Senate and General Assembly of the State*
7 *of New Jersey:*

8
9 1. (New section) As used in this act:
10 "casino" means a licensed casino or gambling house located in
11 Atlantic City at which casino gambling is conducted pursuant to the
12 provisions of P.L.1977, c.110 (C.5:12-1 et seq.);
13 "commission" means the Casino Control Commission
14 established pursuant to section 50 of P.L.1977, c.110 (C.5:12-50);
15 "collegiate sport or athletic event" means a sport or athletic event
16 offered or sponsored by or played in connection with a public or
17 private institution that offers educational services beyond the
18 secondary level;
19 "division" means the Division of Gaming Enforcement
20 established pursuant to section 55 of P.L.1977, c.110 (C.5:12-55);
21 "former racetrack" means any former racetrack where a horse
22 race meeting was conducted within 15 years prior to the effective
23 date of P.L.2014, c.62 (C.5:12A-7 et seq.), excluding premises
24 other than the land contained within the racecourse oval;
25 "Internet sports pool operator" means an entity that is licensed as
26 a casino service industry enterprise pursuant to section 92 of
27 P.L.1977, c.110 (C.5:12-92) and that holds a permit issued by the
28 division to operate an online sports pool;
29 "online sports pool" means a sports wagering operation in which
30 wagers on sports events are made through computers or mobile or
31 interactive devices and accepted at a sports wagering lounge
32 through an online gaming system which is operating pursuant to a
33 sports wagering permit issued by the division or racing commission
34 pursuant to P.L. , c. (C.) (pending before the Legislature as
35 this bill);

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AAP committee amendments adopted June 4, 2018.

²Assembly floor amendments adopted June 7, 2018.

1 "operator" means a casino or a racetrack which has elected to
2 operate a sports pool, either independently or jointly, and any entity
3 with whom a casino or racetrack licensed to operate a sports pool
4 contracts to operate a sports pool or online sports pool, including an
5 Internet sports pool operator, on its behalf;

6 "professional sport or athletic event" means an event at which
7 two or more persons participate in sports or athletic events and
8 receive compensation in excess of actual expenses for their
9 participation in such event;

10 "prohibited sports event" means any collegiate sport or athletic
11 event that takes place in New Jersey or a sport or athletic event in
12 which any New Jersey college team participates regardless of where
13 the event takes place. A "prohibited sports event" does not include
14 the other games of a collegiate sport or athletic tournament in which
15 a New Jersey college team participates, nor does it include any
16 games of a collegiate tournament that occurs outside New Jersey
17 even though some of the individual games or events are held in
18 New Jersey. A prohibited sports event includes all high school
19 sports events, electronic sports, and competitive video games but
20 does not include international sports events in which persons under
21 age 18 make up a minority of the participants;

22 "racetrack" means the physical facility and the land, as of the
23 effective date of P.L. , c. (C.) (pending before the Legislature
24 as this bill), where a permit holder conducts a horse race meeting
25 with wagering under a license issued by the racing commission
26 pursuant to P.L.1940, c.17 (C.5:5-22 et seq.), and includes any
27 former racetrack;

28 "racing commission" means the New Jersey Racing Commission
29 established by section 1 of P.L.1940, c.17 (C.5:5-22);

30 "sports event" means any professional sport or athletic event, any
31 Olympic or international sports competition event and any
32 collegiate sport or athletic event, or any portion thereof, including,
33 but not limited to, the individual performance statistics of athletes
34 in a sports event or combination of sports events, except "sports
35 event" shall not include a prohibited sports event or a fantasy sports
36 activity, as defined in section 2 of P.L.2017, c.231 (C.5:20-2);

37 "sports pool" means the business of accepting wagers on any
38 sports event by any system or method of wagering, including but
39 not limited to single-game bets, teaser bets, parlays, over-under,
40 moneyline, pools, exchange wagering, in-game wagering, in-play
41 bets, proposition bets, and straight bets; and

42 "sports wagering lounge" means an area wherein a licensed
43 sports pool is operated located in a casino hotel or racetrack.
44

45 2. (New section) a. ²The division shall issue all sports
46 wagering licenses and renewals thereof to casinos. The racing
47 commission shall issue all initial sports wagering licenses to
48 racetracks but the division shall have responsibility for the renewal

1 thereof.² In addition to casino games permitted pursuant to the
2 provisions of P.L.1977, c.110 (C.5:12-1 et seq.), a casino which
3 holds a sports wagering license issued by the division may operate a
4 sports pool in accordance with the provisions of this act and
5 applicable regulations promulgated pursuant to this act. A racetrack
6 which holds ²[a] an initial² sports wagering license issued by the
7 racing commission ²or a sports wagering license that has been
8 renewed by the division² may operate a sports pool in accordance
9 with the provisions of this act and applicable regulations
10 promulgated pursuant to this act. A casino which holds a sports
11 wagering license and a racetrack which holds a sports wagering
12 license may enter into an agreement to jointly operate a sports pool
13 at the racetrack, in accordance with the provisions of this act and
14 applicable regulations promulgated pursuant to this act. A casino or
15 racetrack that holds a sports wagering license may conduct an
16 online sports pool or may authorize an internet sports pool operator
17 licensed as a casino service industry enterprise pursuant to section
18 92 of P.L.1977, c.110 (C.5:12-92), or an applicant for such license,
19 to operate an online sports pool on its behalf provided the terms of
20 the agreement are approved by the division, in the case of a casino,
21 or the racing commission, in the case of a racetrack; provided,
22 however, that each sports wagering licensee may provide no more
23 than three individually branded websites, each of which may have
24 an accompanying mobile application bearing the same brand as the
25 website for an online sports pool, those websites and mobile
26 applications, in the case of a casino being in addition to or, in the
27 discretion of the casino, in conjunction with, any websites and
28 mobile applications that also offer other types of Internet gaming
29 pursuant to P.L.2013, c.27 (C.5:12-95.17 et seq.). No online sports
30 pool shall be opened to the public, and no sports wagering, except
31 for test purposes, may be conducted therein, until an Internet sports
32 pool operator receives from the division a permit to conduct an
33 online sports pool. Sports wagering licensees and operators may
34 provide promotional credits, incentives, bonuses, complimentaries,
35 or similar benefits designed to induce sports betters to wager. The
36 division, in consultation with the commission, shall establish by
37 rule standards governing the provision of these measures. ¹The
38 server or other equipment used by a racetrack to accept wagers at a
39 sports pool or online sports pool shall be located in that racetrack or
40 in any location in Atlantic City which conforms to the requirements
41 of section 20 of P.L.2013, c.27 (C.5:12-95.22) and any additional
42 requirements which the division may impose by regulation. The
43 server or other equipment used by a casino to accept wagers at a
44 sports pool or online sports pool shall conform to the requirements
45 of section 20 of P.L.2013, c.27 (C.5:12-95.22) and any additional
46 requirements which the division may impose by regulation.¹

47 With regard to this act, P.L. , c. (C.) (pending before the
48 Legislature as this bill), the duties specified in section 63 of

1 P.L.1977, c.110 (C.5:12-63) of the Casino Control Commission
2 shall apply to the extent not inconsistent with the provisions of this
3 act. In addition to the duties specified in section 76 of P.L.1977,
4 c.110 (C.5:12-76), the division or racing commission, as required
5 pursuant to this act, shall hear and decide promptly and in
6 reasonable order all applications for a license to operate a sports
7 pool. In addition to the duties specified in section 76 of P.L.1977,
8 c.110 (C.5:12-76), the division shall have the general responsibility
9 for the implementation of this act, except with respect to the
10 authority to issue sports wagering licenses to a racetrack as
11 provided by this act, and shall have all other duties specified in that
12 section with regard to the operation of a sports pool.

13 The license to operate a sports pool shall be in addition to any
14 other license required to be issued pursuant to P.L.1977, c.110
15 (C.5:12-1 et seq.) to operate a casino or pursuant to P.L.1940, c. 17
16 (C.5:5-22 et seq.) to conduct horse racing. The division and the
17 racing commission shall each have the authority to charge a casino
18 or a racetrack a fee for the issuance or ², in the case of the division²
19 renewal ², ² of a sports wagering license in an amount ²of \$100,000
20 for initial issuance and in the case of a renewal a reasonable fee²
21 that is based upon the expense associated with ²[such issuance or]²
22 renewal ², enforcement, and gambling addiction programs². No
23 sports wagering license shall be issued by the division or racing
24 commission to any entity unless it has established its financial
25 stability, integrity and responsibility and its good character, honesty
26 and integrity. No casino or racetrack shall be permitted to operate a
27 sports pool or accept wagers via an online sports pool unless a
28 sports wagering lounge is established and has commenced operation
29 in its facility; provided, however, that an applicant for a sports
30 wagering license may petition the agency issuing the sports
31 wagering license pursuant to this act to commence operation of the
32 sports pool at a temporary facility and/or an online sports pool
33 during the pendency of construction of a sports wagering lounge in
34 its facility. Such temporary facility may include, at the discretion
35 of the agency issuing the sports wagering license pursuant to this
36 act, the utilization of designated windows at the current casino cage
37 or racetrack betting window for purposes of placing sports betting
38 wagers and self-service wagering machines located at the racetrack
39 or casino hotel complex. No license to operate a sports pool shall
40 be issued to any entity which is disqualified under the criteria of
41 section 86 of P.L.1977, c.110 (C.5:12-86) ²[or to any person that
42 operated a sports pool in New Jersey within one year prior to the
43 enactment of this act]².

44 No later than five years after the date of the issuance of a license
45 and every five years thereafter or within such lesser periods as the
46 agency issuing the sports wagering license pursuant to this act may
47 direct, a licensee shall submit to the said agency such

1 documentation or information as the division or racing commission
2 may by regulation require, to demonstrate to the satisfaction of the
3 agency that the licensee continues to meet the requirements of the
4 law and regulations.

5 The division and the racing commission following consultation
6 with the sports wagering licensees shall annually cause a report to
7 be prepared and distributed to the Governor on the impact of sports
8 wagering, including Internet wagering on sports events, on problem
9 gamblers and gambling addiction in New Jersey. The report shall
10 be prepared by a private organization or entity with expertise in
11 serving the needs of persons with gambling addictions, which
12 organization or entity shall be selected jointly by the division and
13 the racing commission. The report shall be prepared and distributed
14 under the supervision of, and in coordination with, the division and
15 the racing commission. Any costs associated with the preparation
16 and distribution of the report shall be borne by casino and racetrack
17 licensees who have been authorized by the division or the racing
18 commission to conduct Internet gaming and the division and the
19 racing commission shall be authorized to assess a fee against such
20 licensees for these purposes. The division and the racing
21 commission may also report periodically to the Governor on the
22 effectiveness of the statutory and regulatory controls in place to
23 ensure the integrity of gaming operations through the Internet.

24 b. A sports pool shall be operated in a sports wagering lounge
25 located at a casino or racetrack. A sports wagering lounge may be
26 located at a casino simulcasting facility. The lounge shall conform
27 to all requirements concerning square footage, design, equipment,
28 security measures and related matters which the division shall by
29 regulation prescribe. The space required for the establishment of a
30 lounge shall not reduce the space authorized for casino gaming
31 activities as specified in section 83 of P.L.1977, c.110 (C.5:12-83).

32 c. No sports pool or online sports pool shall be offered or made
33 available for wagering to the public by any entity other than a sports
34 wagering licensee, pursuant to P.L. , c. (C.) (pending before
35 the Legislature as this bill), an applicant for such license, operating
36 such pool on behalf of a licensee, or an Internet sports pool
37 operator, on behalf of a sports wagering licensee. Any person who
38 offers a sports pool or an online sports pool without approval of the
39 division or racing commission to do so is guilty of a crime of the
40 fourth degree and notwithstanding the provisions of N.J.S.2C:43-3,
41 shall be subject to a fine of not more than \$25,000. and in the case
42 of a person other than a natural person, to a fine of not more than
43 \$100,000. and any other appropriate disposition authorized by
44 subsection b. of N.J.S.2C:43-2.

45 d. The operator shall establish or display the odds at which
46 wagers may be placed on sports events.

47 e. An operator shall accept wagers on sports events only from
48 persons physically present in the sports wagering lounge; through

1 self-service wagering machines located in its facility as authorized
2 by the agency issuing the sports wagering license; or through an
3 online sports pool. A person placing a wager on a sports event shall
4 be at least 21 years of age.

5 f. (1) Any person who is an athlete, coach, referee, ²~~direct~~
6 or indirect legal or beneficial owner of 10 percent or greater,² or
7 director of a sports governing body or any of its member teams, a
8 sports governing body or any of its member teams, a player or a
9 referee personnel member, in or on any sports event overseen by
10 that person's sports governing body based on publicly available
11 information ¹~~;~~ ¹ a person who holds a position of authority or
12 influence sufficient to exert influence over the participants in a
13 sporting contest, including but not limited to coaches, managers,
14 handlers, athletic trainers, or horse trainers ¹~~;~~ ¹ a person with
15 access to certain types of exclusive information on any sports event
16 overseen by that person's sports governing body based on publicly
17 available information, or a person identified by any lists provided
18 by the sports governing body to the division and the racing
19 commission shall not be permitted to have any ownership interest
20 in, control of, or otherwise be employed by an operator, a sports
21 wagering licensee, or a facility in which a sports wagering lounge is
22 located or place a wager on a sports event that is overseen by that
23 person's sports governing body based on publicly available
24 information. Any employee of a sports governing body or its
25 member teams who is not prohibited from wagering on a sports
26 event shall, nevertheless, provide notice to the division prior to
27 placing a wager on a sports event. ²The direct or indirect legal or
28 beneficial owner of 10 percent or more of a sports governing body
29 or any of its member teams shall not place or accept any wager on a
30 sports event in which any member team of that sports governing
31 body participates.² Any person who violates this paragraph shall be
32 guilty of a disorderly persons offense and shall be fined not less
33 than \$500 ¹~~;~~ ¹ and¹ not more than \$1,000.

34 (2) The prohibition set forth in ¹~~section f (1)~~ paragraph (1) of
35 this subsection¹ shall not apply to any person who is a direct or
36 indirect owner of a specific sports governing body member team
37 and (i) has less than 10 percent direct or indirect ownership interest
38 in a casino or racetrack or (ii) the shares of such person are
39 registered pursuant to section 12 of the Securities Exchange Act of
40 1934, as amended (15 U.S.C. s.781), and the value of the ownership
41 of such team represents less than one percent of the person's total
42 enterprise value.

43 (3) ²~~To the extent a person does not qualify for the exemption~~
44 set forth in ¹~~section f (2)~~ paragraph (2) of this subsection¹, the
45 agency issuing the sports wagering license pursuant to this act ¹~~;~~ ¹
46 may grant a sports wagering license to a person that is a direct or
47 indirect legal or beneficial owner of 10 percent or greater of a

1 sports governing body's member team or teams provided that such
2 person divests of the disqualifying asset within one year of its
3 application for a sports wagering license. Any person who fails to
4 divest of the disqualifying asset shall be required to immediately
5 surrender their sports wagering license and any profits derived from
6 the operation of the sports pool during the period of operation shall
7 be paid to the State.

8 (4)² An operator shall adopt procedures to prevent persons from
9 wagering on sports events who are prohibited from placing sports
10 wagers. An operator shall not accept wagers from any person
11 whose identity is known to the operator and:

12 whose name appears on the exclusion list maintained by the
13 division pursuant to section 71 of P.L.1977, c.110 (C.5:12-71);

14 whose name appears on any self-exclusion list maintained by the
15 division pursuant to sections 1 and 2 of P.L.2001, c.39 (C.5:12-71.2
16 and C.5:12-71.3, respectively);

17 who is the operator, director, officer, owner, or employee of the
18 operator or any relative thereof living in the same household as the
19 operator;

20 who has access to nonpublic confidential information held by the
21 operator; or

22 who is an agent or proxy for any other person.

23 ²[(5)] (4)² An operator shall adopt procedures to obtain
24 personally identifiable information from any individual who places
25 any single wager in an amount of \$10,000 or greater on a sports
26 event while physically present in a racetrack facility or a casino.

27 Sections 1 and 2 of P.L.2002, c.89 (C.5:5-65.1 and C.5:5-65.2,
28 respectively) shall apply to the conduct of sports wagering under
29 this act.

30 g. The holder of a sports wagering license may contract with an
31 entity to conduct that operation, in accordance with the regulations
32 of the division. That entity shall obtain a license as a casino service
33 industry enterprise prior to the execution of any such contract, and
34 such license shall be issued pursuant to the provisions of P.L.1977,
35 c.110 (C.5:12-1 et seq.) and in accordance with the regulations
36 promulgated by the division in consultation with the commission.

37 h. If any provision of this act, P.L. , c. (C.) (pending
38 before the Legislature as this bill), or its application to any person
39 or circumstance, is held invalid, the invalidity shall not affect other
40 provisions or applications of this act which can be given effect
41 without the invalid provision or application, and to this end the
42 provisions of this act are severable.

43 i. An operator shall promptly report to the division:

44 any criminal or disciplinary proceedings commenced against the
45 operator or its employees in connection with the operations of the
46 sports pool or online sports pool;

47 any abnormal betting activity or patterns that may indicate a
48 concern about the integrity of a sports event or events;

1 any other conduct with the potential to corrupt a betting outcome
2 of a sports event for purposes of financial gain, including but not
3 limited to match fixing; and

4 suspicious or illegal wagering activities, including the use of
5 funds derived from illegal activity, wagers to conceal or launder
6 funds derived from illegal activity, use of agents to place wagers, or
7 use of false identification.

8 The division is authorized to share any information under this
9 section with any law enforcement entity, team, sports governing
10 body, or regulatory agency the division deems appropriate.

11 j. An operator shall maintain records of sports wagering
12 operations in accordance with regulations promulgated by the
13 division.

14 k. ²【Notwithstanding any law to the contrary or any
15 restrictions, the holder of a sports wagering license, or the operator,
16 at no cost to the entity, shall be entitled to receive a plenary retail
17 consumption license for the sale of alcoholic beverages in, on or
18 about any premises licensed as a sports lounge, pursuant to the
19 provisions of R.S.33:1-12.

20 l. ²【A sports wagering licensee may, in addition to having a
21 sports wagering lounge, conduct wagering on authorized sports
22 events through one or more kiosks or self-service wagering stations
23 located within its facility. Such self-service wagering stations
24 located at a casino may offer any game authorized under rules
25 established by the division. Such self-service wagering stations
26 located at a racetrack may offer wagering only on authorized sports
27 events and horse races.

28 ²【m.】 l. ² All wagers on sports events authorized under this
29 provision shall be initiated, received and otherwise made within this
30 State unless otherwise determined by the division in accordance
31 with applicable federal and state laws. Consistent with the intent of
32 the United States Congress as articulated in the Unlawful Internet
33 Gambling Enforcement Act of 2006 (31 U.S.C. s.5361 et seq.), the
34 intermediate routing of electronic data relating to a lawful intrastate
35 wager authorized under this provision shall not determine the
36 location or locations in which such wager is initiated, received or
37 otherwise made.

38
39 3. (New section) a. Corporate applicants for and holders of a
40 sports wagering license shall be required to disclose the identity of
41 the following: each board appointed officer of the corporation; each
42 director of the corporation; each person who directly holds any
43 voting or controlling interest of 5 percent or more of the securities
44 issued by such applicant or holder; each person who directly holds
45 any non-voting or passive ownership interest of 25 percent or more
46 of the securities issued by such applicant or holder; and each
47 holding or intermediary company of an applicant for or holder of an
48 operator.

1 b. As to each holding, intermediary and subsidiary company of
2 an applicant for or holder of a sports wagering license, such
3 applicants and holders shall be required to establish and maintain
4 the qualifications of the following: each board appointed officer of
5 the corporation; each director of the corporation; each person who
6 directly holds any voting or controlling interest of 5 percent or more
7 of the securities issued by such applicant or holder; and each person
8 who directly holds any non-voting or passive ownership interest of
9 25 percent or more in such holding or intermediary company.

10 c. The racing commission or the division shall have the
11 authority to waive any or all of the qualification requirements for
12 any person listed in subsections a. or b. of this section.

13 d. All persons employed directly in wagering-related activities
14 conducted within a casino or a racetrack in a sports wagering
15 lounge and an online sports pool shall be licensed as a casino key
16 employee or registered as a casino employee, as determined by the
17 commission, pursuant to the provisions of P.L.1977, c.110 (C.5:12-
18 1 et seq.). All other employees who are working in the sports
19 wagering lounge may be required to be registered, if appropriate, in
20 accordance with regulations of the division promulgated in
21 consultation with the commission.

22 e. Each operator shall designate one or more casino key
23 employees who shall be responsible for the operation of the sports
24 pool. At least one such casino key employee shall be on the
25 premises whenever sports wagering is conducted.

26

27 4. (New section) a. Except as otherwise provided by this act,
28 the division shall have the authority to regulate sports pools, online
29 sports pools, and the conduct of sports wagering under this act to
30 the same extent that the division regulates casino games. No casino
31 or racetrack shall be authorized to operate a sports pool or online
32 sports pool unless it has produced, to the satisfaction of the agency
33 issuing the sports wagering license, information, documentation,
34 and assurances concerning its financial background and resources,
35 including cash reserves, that are sufficient to demonstrate that it has
36 the financial stability, integrity, and responsibility to operate a
37 sports pool or online sports pool. In developing rules and
38 regulations applicable to sports wagering, the division may examine
39 the regulations implemented in other states where sports wagering
40 is conducted and may, as far as practicable, adopt a similar
41 regulatory framework. The division, in consultation with the
42 commission, shall promulgate regulations necessary to carry out the
43 provisions of this act, including, but not limited to, regulations
44 governing the:

45 (1) amount of cash reserves to be maintained by operators to
46 cover winning wagers;

47 (2) acceptance of wagers on a series of sports events;

48 (3) maximum wagers which may be accepted by an operator

1 from any one patron on any one sports event;
2 (4) type of wagering tickets which may be used;
3 (5) method of issuing tickets;
4 (6) method of accounting to be used by operators;
5 (7) types of records which shall be kept;
6 (8) use of credit and checks by patrons;
7 (9) type of system for wagering;
8 (10) protections for a person placing a wager; and
9 (11) display of the words, "If you or someone you know has a
10 gambling problem and wants help, call 1-800 GAMBLER," or some
11 comparable language approved by the division, which language
12 shall include the words "gambling problem" and "call 1-800
13 GAMBLER," in all print, billboard, sign, online, or broadcast
14 advertisements of a sports pool and online sports pool and in every
15 sports wagering lounge.

16 b. Notwithstanding any other provision of P.L. c. (C.)
17 (pending before the Legislature as this bill) or of the Administrative
18 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), to the
19 contrary, during the 90-day period following the effective date of
20 this act, the division and the racing commission may, after notice
21 provided in accordance with this subsection, summarily adopt,
22 amend, or repeal any order, rule, or regulation for a period not to
23 exceed 270 days for the purpose of ensuring the expeditious and
24 effective implementation of sports wagering at casinos or racetracks
25 in accordance with this act. Any summary rulemaking authorized
26 by this subsection shall be subject to such terms and conditions as
27 the division and the racing commission may deem appropriate.
28 Such rules shall be effective when published by the division and the
29 racing commission on their respective websites and shall allow for
30 the immediate application of ¹**ant** any¹ racetrack licensed by the
31 racing commission, or casino licensed by the division, to the
32 respective agency by which they are ¹**currently**¹ licensed or
33 permitted, for a transactional waiver to immediately commence
34 sports wagering. Upon the filing of such application, these rules
35 shall further provide that, upon a showing therein that the applicant
36 is ¹**presently**¹ licensed or permitted by the appropriate agency
37 ¹**that** ¹ a sports wagering license shall immediately be issued to
38 the respective applicant allowing for its immediate commencement
39 of sports wagering subject to the condition that it conform to the
40 entity and individual or other licensing, facility and any other
41 requirements set forth in the respective rules of each within 270
42 days. In the event such rules are not complied with within such time
43 period, the non-complying racetrack or casino will not thereafter be
44 eligible to conduct sports wagering until such compliance is
45 achieved. Notice of any emergency rulemaking action taken by the
46 division or the racing commission pursuant to this subsection shall
47 be published in the New Jersey Register, and provided to the
48 newspapers designated by the division and racing commission

1 pursuant to subsection d. of section 3 of P.L.1975, c.231 (C.10:4-8),
2 not later than 30 days subsequent to the implementation of the
3 emergency rules. The text of any emergency rule adopted by the
4 division and the racing commission pursuant to this section shall be
5 available in each racetrack, casino, sports wagering lounge, and
6 simulcasting facility implementing the provisions of emergency
7 rulemaking.

8 c. Any person employed on the effective date of this act,
9 P.L. , c. (C.) (pending before the Legislature as this bill), by
10 a permitholder in the admissions department or parimutuel clerk
11 department of a racetrack operated by the permitholder shall be
12 given a one-time right of first refusal offer of employment at the
13 sports pool, including an online sports pool, that opens at that
14 racetrack, for the then available positions of similar employment in
15 that sports pool, or with any vendor contracting with the licensee to
16 operate the sports pool.

17
18 5. (New section) Each operator shall adopt comprehensive house
19 rules governing sports wagering transactions with its patrons which
20 shall be approved by the division. The rules shall specify the amounts
21 to be paid on winning wagers and the effect of schedule changes. The
22 house rules, together with any other information the division deems
23 appropriate, shall be conspicuously displayed in the sports wagering
24 lounge, posted on the operator's Internet website, and included in the
25 terms and conditions of the account wagering system, and copies shall
26 be made readily available to patrons.

27
28 6. (New section) Whenever a casino licensee and a racetrack
29 permit holder enter into an agreement to jointly establish a sports
30 wagering lounge, and to operate and conduct sports wagering under
31 this act, the agreement shall specify the distribution of revenues
32 from the joint sports wagering operation among the parties to the
33 agreement.

34
35 7. (New section) The sums received by the casino from sports
36 wagering or from a joint sports wagering operation, less only the
37 total of all sums actually paid out as winnings to patrons^{1,1} shall not
38 be taxed as gross revenue as specified under section 24 of P.L.1977,
39 c.110 (C.5:12-24) but shall be subject to an 8.5 percent tax, except
40 that sums received from Internet wagering on sports events ¹, less
41 only the total of all sums actually paid out as winnings to patrons,¹
42 shall be subject to a 13 percent tax, which shall be paid to the
43 Casino Revenue Fund and the investment alternative tax established
44 by section 3 of P.L.1984, c.218 (C.5:12-144.1) which investment
45 alternative tax funds shall be used exclusively for ²**[the Meet]**
46 tourism and marketing for the City of² Atlantic City ²**[marketing**
47 **program]**² , provided, however, that the cash equivalent value of
48 any merchandise or thing of value included in a jackpot or payout

1 shall not be included in the total of all sums paid out as winnings to
2 patrons for purposes of determining revenue under this paragraph.

3 The sums actually received by the horse racing permit holder
4 from any sports wagering operation, either jointly established with a
5 casino or established independently or with non-casino partners,
6 less only the total of all sums actually paid out as winnings to
7 patrons, shall be subject to an 8.5 percent tax ¹, except ¹that sums
8 received from Internet wagering on sports events ¹, less only the
9 total of all sums actually paid out as winnings to patrons, ¹ shall be
10 subject to a 13 percent tax, to be collected by the division and paid
11 to the State General Fund and to an additional tax of 1.25 percent
12 on amounts actually received from a sports wagering operation
13 ¹with 0.75 percent paid ¹, less only the total of all sums actually
14 paid out as winnings to patrons, to be paid to the Division of Local
15 Government Services in the Department of Community Affairs for
16 distribution, upon application by a municipality or county, ¹ to the
17 municipality and ¹0.5 percent paid ¹ to the county in which the
18 sports wagering lounge is located or to an economic development
19 authority of that municipality and county ¹, as determined by the
20 governing body of the municipality or county, ¹ with those amounts
21 used for economic development purposes, provided, however, that
22 the cash equivalent value of any merchandise or thing of value
23 included in a jackpot or payout shall not be included in the total of
24 all sums paid out as winnings to patrons for purposes of
25 determining revenue under this paragraph.

26 A percentage of the fee paid for a license to operate a sports pool
27 shall be deposited into the State General Fund for appropriation by
28 the Legislature to the Department of Health ¹and Senior
29 Services ¹ to provide funds for ¹evidenced based evidence-
30 based ¹ prevention, education, and treatment programs for
31 compulsive gambling ¹programs ¹ that meet the criteria developed
32 pursuant to section 2 of P.L.1993, c.229 (C.26:2-169), such as those
33 provided by the Council on Compulsive Gambling of New Jersey,
34 and including the development and implementation of programs
35 that identify and assist problem gamblers. The percentage shall be
36 determined by the division.

37

38 8. (New section) Sports wagering lounges at which a sports
39 pool is operated shall be a permitted use in all commercial, retail,
40 industrial, non-residential and mixed-use zoning districts of a
41 municipality.

42

43 9. (New section) If a patron does not claim a winning sports
44 pool wager within one year from the time of the event, the
45 obligation of the operator to pay the winnings shall expire and the
46 funds shall be distributed as follows:

1 for wagers placed with a sports pool operated by or on behalf of
2 a casino, the casino shall retain 50 percent and remit the remaining
3 50 percent to the Casino Revenue Fund;

4 for wagers placed with a sports pool operated by or on behalf of
5 a racetrack, the racetrack shall retain 50 percent and remit the
6 remaining 50 percent to the State General Fund; and

7 for wagers placed with a sports pool jointly operated by a casino
8 and a racetrack, the casino and racetrack shall retain a total of 50
9 percent which shall be apportioned among them pursuant to the
10 terms of their operation agreement, and the remaining 50 percent
11 shall be apportioned in the same manner, with the casino percentage
12 being deposited in the Casino Revenue Fund and the racetrack
13 percentage being deposited in the State General Fund.

14
15 10. (New section) Notwithstanding any other provision of
16 P.L.2013, c.27 (C.5:12-95.17 et al.), wagers may be accepted
17 thereunder or pooled with wagers from persons who are not
18 physically present in this State if the division determines that such
19 wagering is not inconsistent with federal law or the law of the
20 jurisdiction, including any foreign nation, in which any such person
21 is located, or such wagering is conducted pursuant to a reciprocal
22 agreement to which the State is a party that is not inconsistent with
23 federal law.

24
25 11. Section 24 of P.L.1977, c.110 (C.5:12-24) is amended to
26 read as follows:

27 24. "Gross Revenue"-- The total of all sums actually received by
28 a casino licensee from gaming operations, less only the total of all
29 sums actually paid out as winnings to patrons; provided, however,
30 that the cash equivalent value of any merchandise or thing of value
31 included in a jackpot or payout shall not be included in the total of
32 all sums paid out as winnings to patrons for purposes of
33 determining gross revenue. "Gross Revenue" shall not include any
34 amount received by a casino from casino simulcasting pursuant to
35 the "Casino Simulcasting Act," P.L.1992, c.19 (C.5:12-191 et al.) or
36 from sports wagering pursuant to P.L. , c. (C.) (pending
37 before the Legislature as this bill).

38 (cf: P.L.2014, c.62, s.3)

39
40 12. Section 104 of P.L.1977, c.110 (C.5:12-104) is amended to
41 read as follows:

42 104. a. Unless otherwise provided in this subsection, no
43 agreement shall be lawful which provides for the payment, however
44 defined, of any direct or indirect interest, percentage or share of:
45 any money or property gambled at a casino or simulcasting facility;
46 any money or property derived from casino gaming activity or
47 wagering at a simulcasting facility; or any revenues, profits or

1 earnings of a casino or simulcasting facility. Notwithstanding the
2 foregoing:

3 (1) Agreements which provide only for the payment of a fixed
4 sum which is in no way affected by the amount of any such money,
5 property, revenues, profits or earnings shall not be subject to the
6 provisions of this subsection; and receipts, rentals or charges for
7 real property, personal property or services shall not lose their
8 character as payments of a fixed sum because of contract, lease, or
9 license provisions for adjustments in charges, rentals or fees on
10 account of changes in taxes or assessments, cost-of-living index
11 escalations, expansion or improvement of facilities, or changes in
12 services supplied.

13 (2) Agreements between a casino licensee and a junket
14 enterprise or junket representative licensed, qualified or registered
15 in accordance with the provisions of P.L.1977, c.110 (C.5:12-1 et
16 seq.) and the regulations of the division which provide for the
17 compensation of the junket enterprise or junket representative by
18 the casino licensee based upon the actual casino gaming or
19 simulcast wagering activities of a patron procured or referred by the
20 junket enterprise or junket representative shall be lawful if filed
21 with the division prior to the conduct of any junket that is governed
22 by the agreement.

23 (3) Agreements between a casino licensee and its employees
24 which provide for casino employee or casino key employee profit
25 sharing shall be lawful if the agreement is in writing and filed with
26 the division prior to its effective date. Such agreements may be
27 reviewed by the division under any relevant provision of P.L.1977,
28 c.110 (C.5:12-1 et seq.).

29 (4) Agreements to lease an approved casino hotel or the land
30 thereunder and agreements for the complete management of all
31 casino gaming operations in a casino hotel shall not be subject to
32 the provisions of this subsection but shall rather be subject to the
33 provisions of subsections b. and c. of section 82 of this act.

34 (5) Agreements which provide for percentage charges between
35 the casino licensee and a holding company or intermediary
36 company of the casino licensee shall be in writing and filed with the
37 division but shall not be subject to the provisions of this subsection.

38 (6) Agreements relating to simulcast racing and wagering
39 between a casino licensee and an in-State or out-of-State sending
40 track licensed or exempt from licensure in accordance with section
41 92 of P.L.1977, c.110 (C.5:12-92) shall be in writing, be filed with
42 the division, and be lawful and effective only if expressly approved
43 as to their terms by the division and the New Jersey Racing
44 Commission, except that any such agreements which provide for a
45 percentage of the parimutuel pool wagered at a simulcasting facility
46 to be paid to the sending track shall not be subject to the provisions
47 of this subsection.

1 (7) Agreements relating to simulcast racing and wagering
2 between a casino licensee and a casino service industry enterprise
3 licensed pursuant to the provisions of subsection a. of section 92 of
4 P.L.1977, c.110 (C.5:12-92) as a hub facility, as defined in joint
5 regulations of the Division of Gaming Enforcement and the New
6 Jersey Racing Commission, shall be in writing, be filed with the
7 commission, and be lawful and effective only if expressly approved
8 as to their terms by the commission and the New Jersey Racing
9 Commission, except that any such agreements which provide for a
10 percentage of the casino licensee's share of the parimutuel pool
11 wagered at a simulcasting facility to be paid to the hub facility shall
12 not be subject to the provisions of this subsection.

13 (8) Agreements relating to simulcast racing and wagering
14 between a casino licensee and a casino service industry enterprise
15 licensed pursuant to the provisions of subsection a. of section 92 of
16 P.L.1977, c.110 (C.5:12-92) to conduct casino simulcasting in a
17 simulcasting facility shall be in writing, be filed with the
18 commission, and be lawful and effective only if expressly approved
19 as to their terms by the commission, except that any such
20 agreements which provide for a percentage of the casino licensee's
21 share of the parimutuel pool wagered at a simulcasting facility to be
22 paid to the casino service industry enterprise shall not be subject to
23 the provisions of this subsection.

24 (9) Written agreements relating to the operation of multi-casino
25 or multi-state progressive slot machine systems between one or
26 more casino licensees and a casino service industry enterprise
27 licensed pursuant to the provisions of subsection a. of section 92 of
28 P.L.1977, c.110 (C.5:12-92), or an eligible applicant for such
29 license, which provide for an interest, percentage or share of the
30 casino licensee's revenues, profits or earnings from the operation of
31 such multi-casino or multi-state progressive slot machines to be
32 paid to the casino service industry enterprise licensee or applicant
33 shall not be subject to the provisions of this subsection if the
34 agreements are filed with and approved by the division.

35 (10) A written agreement between a casino licensee and a casino
36 service industry enterprise licensed pursuant to subsection a. of
37 section 92 of P.L.1977, c.110 (C.5:12-92), or an eligible applicant
38 for such license, relating to the construction, renovation or
39 operation of qualifying sleeping units, as defined in section 27 of
40 P.L.1977, c.110 (C.5:12-27), or of non-gaming amenities, as
41 defined by the division, within the limits of the city of Atlantic
42 City, regardless of whether such qualifying sleeping units or non-
43 gaming amenities are connected to a casino hotel facility, which
44 provides for an interest, percentage or share of the casino licensee's
45 revenues, profits or earnings, not to exceed 5% of the casino
46 licensee's revenues, to be paid to the casino service industry
47 enterprise licensee or applicant in return for the construction,
48 renovation or operation of such qualifying sleeping units or non-

1 gaming amenities shall not be subject to the provisions of this
2 subsection provided that: (i) the agreement requires a capital
3 investment, at least 10% of which shall be made by the casino
4 service industry enterprise licensee or applicant over the term of the
5 agreement, of not less than \$30 million, which minimum amount
6 shall be adjusted periodically by the division for inflation; (ii) the
7 division finds that the total amount of casino revenues, profits or
8 earnings that can be paid to the casino service industry enterprise
9 licensee or applicant pursuant to this agreement is commercially
10 reasonable under the circumstances; and (iii) the agreement is filed
11 with and approved by the division.

12 (11) A written agreement between a casino licensee holding an
13 Internet gaming permit and a casino service industry enterprise
14 licensed pursuant to subsection a. of section 92 of P.L.1977, c.110
15 (C.5:12-92), or an eligible applicant for such a license, in
16 connection with the conduct of Internet gaming under P.L.2013,
17 c.27 (C.5:12-95.17 et al.), which provides for a percentage of the
18 casino licensee's Internet gaming gross revenue to be paid to the
19 casino service industry enterprise licensee shall not be subject to the
20 provisions of this subsection, provided that the agreement shall be
21 in writing, filed with the division, and shall be lawful and effective
22 only if the terms thereof are expressly approved by the division.

23 (12) A written agreement between a casino licensee and a casino
24 service industry enterprise licensed pursuant to subsection a. of
25 section 92 of P.L.1977, c.110 (C.5:12-92), or an eligible applicant
26 for such a license, in connection with the conduct of mobile gaming
27 under section 100 of P.L.1977, c.110 (C.5:12-100), or mobile sports
28 pool operations within a casino hotel facility in areas in which
29 mobile gaming under section 100 of P.L.1977, c.110 (5:12-100) is
30 authorized, which provides for a percentage of the casino licensee's
31 gross revenue from mobile gaming to be paid to the casino service
32 industry enterprise licensee shall not be subject to the provisions of
33 this subsection, provided that the agreement shall be in writing,
34 filed with the division, and shall be lawful and effective only if the
35 terms thereof are expressly approved by the division.

36 (13) A written agreement between a casino licensee and a casino
37 service industry enterprise licensed pursuant to subsection a. of
38 section 92 of P.L.1977, c.110 (C.5:12-92), or an eligible applicant
39 for such a license, in connection with the conduct of a sports pool,
40 including an online sports pool, mobile sports pool operations
41 within a casino hotel facility in areas in which mobile gaming under
42 section 100 of P.L.1977, c.110 (5:12-100) is authorized, or both,
43 which provides for a percentage of the casino licensee's gross
44 revenue from the operations of a sports pool, including online
45 sports pool and mobile operations, to be paid to the casino service
46 industry enterprise licensee shall not be subject to the provisions of
47 this subsection, provided that the agreement shall be in writing,

1 filed with the division, and shall be lawful and effective only if the
2 terms thereof are expressly approved by the division.

3 b. Each casino applicant or licensee shall maintain, in
4 accordance with the rules of the division, a record of each written or
5 unwritten agreement regarding the realty, construction,
6 maintenance, or business of a proposed or existing casino hotel or
7 related facility. The foregoing obligation shall apply regardless of
8 whether the casino applicant or licensee is a party to the agreement.
9 Any such agreement may be reviewed by the division on the basis
10 of the reasonableness of its terms, including the terms of
11 compensation, and of the qualifications of the owners, officers,
12 employees, and directors of any enterprise involved in the
13 agreement, which qualifications shall be reviewed according to the
14 standards enumerated in section 86 of P.L.1977, c.110 (C.5:12-86).
15 If the division disapproves such an agreement or the owners,
16 officers, employees, or directors of any enterprise involved therein,
17 the division may require its termination.

18 Every agreement required to be maintained, and every related
19 agreement the performance of which is dependent upon the
20 performance of any such agreement, shall be deemed to include a
21 provision to the effect that, if the commission shall require
22 termination of an agreement pursuant to its authority under
23 P.L.1977, c.110 (C.5:12-1 et seq.), such termination shall occur
24 without liability on the part of the casino applicant or licensee or
25 any qualified party to the agreement or any related agreement.
26 Failure expressly to include such a provision in the agreement shall
27 not constitute a defense in any action brought to terminate the
28 agreement. If the agreement is not maintained or presented to the
29 commission in accordance with division regulations, or the
30 disapproved agreement is not terminated, the division may pursue
31 any remedy or combination of remedies provided in this act.

32 For the purposes of this subsection, "casino applicant" includes
33 any person required to hold a casino license pursuant to section 82
34 of P.L.1977, c.110 (C.5:12-82) who has applied to the division for a
35 casino license or any approval required under P.L.1977, c.110
36 (C.5:12-1 et seq.).

37 c. Nothing in this act shall be deemed to permit the transfer of
38 any license, or any interest in any license, or any certificate of
39 compliance or any commitment or reservation.

40 (cf: P.L.2013, c.27, s.14)

41
42 13. Section 1 of P.L.2008, c.12(C.5:12-38a) is amended to read
43 as follows:

44 1. "Promotional gaming credit" - A slot machine credit, sports
45 wagering credit or other item approved by the division that is issued
46 by a licensee to a patron for the purpose of enabling the placement
47 of a wager at a slot machine or in a sports pool in the licensee's
48 casino or through the licensee's Internet gaming system. No such

1 credit shall be reported as a promotional gaming credit unless the
2 casino licensee can establish that the credit was issued by the casino
3 licensee and received from a patron as a wager at a slot machine or
4 in a sports pool in the licensee's casino or Internet gaming system.
5 (cf: P.L. 2013, c.27, s.34)

6
7 14. Section 3 of P.L.2016, c.5 (C.52:27BBBB-20) is amended to
8 read as follows:

9 3. a. As used in P.L.2016, c.5 (C.52:27BBBB-18 et al.):

10 "Atlantic City" means the City of Atlantic City, in Atlantic
11 County;

12 "Base amount" means the amount of the payment in lieu of taxes
13 as determined by subparagraph (d) of paragraph (3) of subsection c.
14 of this section;

15 "Casino gaming property" means one or more parcels of real
16 property located in Atlantic City, and any adjacent property utilized
17 in connection with such property, upon which there is located a
18 facility licensed to be used for casino gaming in 2014 or thereafter,
19 whether or not in actual operation, which has more than 500 guest
20 hotel rooms, and is not subject to recorded covenants prohibiting
21 casino gaming;

22 "Division" means the Division of Gaming Enforcement in the
23 Department of Law and Public Safety;

24 "Gross gaming revenue" (GGR) means the total amount of
25 revenue raised through casino gaming, including revenue from
26 sports pool operations, from all of the casino gaming properties
27 located in Atlantic City as determined by the division;

28 "Local Finance Board" means the Local Finance Board in the
29 Division of Local Government Services in the Department of
30 Community Affairs; and

31 "Treasury" means the Department of the Treasury.

32 b. Beginning with calendar year 2017, and for the next
33 succeeding nine calendar years, casino gaming properties located in
34 Atlantic City shall be exempt from local property taxation on real
35 property and improvements, including accessory hotels, conference
36 centers, parking garages, and other appurtenant facilities, except
37 that any new improvement developed on a casino gaming property
38 that is made outside of the perimeter footprint of any improvement
39 existing as of the effective date of this act and any real property, not
40 formerly qualified as casino gaming property, acquired after such
41 date by an owner of casino gaming property shall not be exempt
42 from local property taxation in any calendar year and shall be
43 subject to local property taxation annually at Atlantic City's general
44 property tax rate. The provisions of this section shall not apply to
45 any casino property that operates under a small scale casino facility
46 license or a staged casino facility license pursuant to section 1 of
47 P.L.2010, c.115 (C.5:12-80.1).

1 c. (1) In exchange for the property tax exemption granted in
2 subsection b. of this section, each owner of each casino gaming
3 property shall sign a 10-year financial agreement with Atlantic City
4 for each casino gaming property promising to make quarterly
5 payments to the city of its allocated portion of the annual amount of
6 the payment in lieu of taxes as determined by this section. The
7 owner of each casino gaming property shall be responsible for the
8 payments allocated to that property and shall be subject to the lien
9 provisions of R.S.54:5-6 if those payments are not made.

10 (2) Any new owner of a casino gaming property following the
11 effective date of P.L.2016, c.5 (C.52:27BBBB-18 et al.) shall
12 immediately become responsible for signing a financial agreement
13 with Atlantic City promising to make payments consistent with this
14 section.

15 (3) (a) The total amount of the payment in lieu of property
16 taxes owed to Atlantic City for calendar year 2017 shall be \$120
17 million. To the extent that any owner of a casino gaming property
18 has paid property taxes for calendar year 2017 prior to the date
19 P.L.2016, c.5 (C.52:27BBBB-18 et al.) becomes operative, the
20 amount of property taxes so paid shall be credited toward that
21 owner's allocated share of the \$120 million total payment in lieu of
22 property taxes.

23 (b) For calendar year 2018 and for each calendar year thereafter,
24 the amount of the payment in lieu of property taxes owed to
25 Atlantic City shall increase by two percent per year in every year in
26 which there is no upward adjustment to the base amount of the
27 payment in lieu of taxes from the previous calendar year as
28 determined by subparagraph (d) of this paragraph.

29 (c) For calendar year 2018 and for each calendar year thereafter,
30 the total amount of the payment in lieu of property taxes owed to
31 Atlantic City shall be the base amount as determined by
32 subparagraph (d) of this paragraph and the total amount of the
33 annual increases to date as determined by subparagraph (b) of this
34 paragraph.

35 (d) For calendar year 2018 and for each calendar year thereafter,
36 the base amount of the payment in lieu of taxes shall be determined
37 as follows:

38 If the amount of the GGR in the preceding calendar year is
39 between \$3.4 billion and \$3.8 billion, the base amount shall be \$165
40 million, or in the case of an upward adjustment, \$15 million more
41 than the PILOT in the previous year, whichever is greater;

42 If the amount of the GGR in the preceding calendar year is
43 between \$3.0 billion and \$3.4 billion, the base amount shall be \$150
44 million, or in the case of an upward adjustment, \$20 million more
45 than the PILOT in the previous year, whichever is greater;

46 If the amount of the GGR in the preceding calendar year is
47 between \$2.6 billion and \$3.0 billion, the base amount shall be \$130

1 million, or in the case of an upward adjustment, \$10 million more
2 than the PILOT in the previous year, whichever is greater;

3 If the amount of the GGR in the preceding calendar year is
4 between \$2.2 billion and \$2.6 billion, the base amount shall be \$120
5 million, or in the case of an upward adjustment, \$10 million more
6 than the PILOT in the previous year, whichever is greater;

7 If the amount of the GGR in the preceding calendar year is
8 between \$1.8 billion and \$2.2 billion and the aggregate gross
9 revenues from all of the casino gaming properties located in
10 Atlantic City from all revenue streams, excluding GGR, have not
11 increased compared to the prior calendar year by more than the
12 amount by which GGR is less than \$2.2 billion, as determined by
13 the division, the base amount shall be \$110 million, or in the case of
14 an upward adjustment, \$20 million more than the PILOT in the
15 previous year, whichever is greater;

16 If the amount of the GGR in the preceding calendar year is \$1.8
17 billion or less and the aggregate gross revenue from all of the casino
18 gaming properties located in Atlantic City from all revenue streams,
19 excluding GGR have not increased compared to the prior calendar
20 year by more than the amount by which GGR is less than \$1.8
21 billion as determined by the division, the base amount shall be \$90
22 million.

23 (4) The amount of the payment in lieu of property taxes owed
24 pursuant to this subsection shall be calculated annually each
25 calendar year for each casino gaming property using a formula
26 implemented by the Local Finance Board, in consultation with the
27 division, using the following criteria:

28 The geographic footprint of the real property, expressed in acres,
29 owned by each casino gaming property;

30 The number of hotel guest rooms in each casino gaming
31 property; and

32 The gross gaming revenue of the casino in each casino gaming
33 property from the prior calendar year.

34 Each of these three criteria shall bear equal weight in the formula
35 implemented by the Local Finance Board, in consultation with the
36 division, pursuant to this paragraph, provided that during calendar
37 years 2017, 2018, 2019, 2020, and 2021, if the formula results in
38 any individual casino gaming property being allocated an amount
39 that is in excess of the total real property taxes due and payable by
40 the casino gaming property in calendar year 2015, then that casino
41 gaming property shall receive a credit against the obligation of the
42 operator of that property under paragraph (2) of subsection a. of
43 section 3 of P.L.1984, c.218 (C.5:12-144.1) in the amount of such
44 excess. If, after that credit against the obligation of the operator of
45 that property under paragraph (2) of subsection a. of section 3 of
46 P.L.1984, c.218 (C.5:12-144.1), that casino gaming property would
47 still be liable for a payment in lieu of property taxes in excess of the
48 total real property taxes due and payable by the casino gaming

1 property in calendar year 2015, the casino gaming property shall not
2 be required to make any additional payment in lieu of property tax
3 payment. Instead, any additional amount that would have been
4 owed by that casino gaming property shall be added, by
5 proportional share, to the payment in lieu of property taxes to be
6 paid by every other casino gaming property in order to provide
7 Atlantic City the total amount of the payment in lieu of property
8 taxes due and owing for that calendar year.

9 d. When a new casino gaming property is added or when an
10 existing casino gaming property no longer qualifies as a casino
11 gaming property as defined in subsection a. of this section, Atlantic
12 City's financial agreement with each owner of each casino gaming
13 property shall be amended to reflect the change and the allocation
14 of the payment in lieu of property taxes between the casino gaming
15 properties.

16 e. The provisions of R.S.54:5-6 shall apply to any amount
17 required to be paid under this section, and the municipality shall
18 have the same rights against any casino gaming property for such
19 unpaid amounts relating to that property as if such amounts were
20 unpaid property taxes.

21 (cf: P.L.2016, c. 5, s.3)

22
23 15. Sections 1, 2, and 4 of P.L.2014, c.62 (C.5:12A-7 through
24 C.5:12A-9) are repealed.

25
26 16. This act shall take effect immediately ¹, except that
27 provisions allowing online or Internet sports wagering shall take
28 effect 30 days thereafter¹.

29
30
31 _____
32
33 Allows wagering at casinos and racetracks on certain
34 professional and collegiate sports or athletic events.